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Attorney for plaintiff Gregory Bender

8 UNITED STATES DISTRICT COURT  
9 NORTHERN DISTRICT OF CALIFORNIA  
10 SAN FRANCISCO DIVISION

11 Gregory Bender,

12 Plaintiff,

13 v.

14 Nokia Inc.,

15 Defendant.

Case No. C09-01247 MMC

**STIPULATION AND ~~PROPOSED~~  
ORDER REGARDING DEADLINE  
FOR INVALIDITY CONTENTIONS**

17 Plaintiff Gregory Bender ("Plaintiff") and Defendant Nokia Inc, ("Defendant"), through  
18 their respective counsel, hereby make the following stipulation with regards to Defendant's  
19 invalidity contentions.

20 WHEREAS, Plaintiff served his infringement contentions on January 8, 2010.

21 WHEREAS, on February 3, 2010, Defendant informed Plaintiff that Defendant believes  
22 the infringement contentions do not comply with Patent L.R. 3-1, that Defendant intends to seek  
23 Court resolution of this issue including a stay of Defendant's invalidity contention and document  
24 production obligations, and that Defendant requests a meet and confer between the parties to  
25 discuss the issue.

26 WHEREAS, Plaintiff has not yet been available to meet and confer on this issue.

27 WHEREAS, the parties have agreed to stay Defendant's invalidity contention and  
28 document production obligations pending the resolution of this matter.

1 THE PARTIES HEREBY STIPULATE THAT:

2 Defendant's obligations under Patent L.R. 3-3 and 3-4 and any other obligations to  
3 produce technical documents shall be stayed until 45 days after the resolution of the parties'  
4 dispute regarding the sufficiency of Plaintiff's infringement contentions.

5 Respectfully submitted,

6 Dated: February 18, 2010

Jones Day

8 By: /s/ Gregory Lippetz

9 Greg L. Lippetz  
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13 Counsel for Defendant Nokia Inc.

14 In accordance with General Order No. 45, Section X(B), the above signatory attests that  
15 concurrence in the filing of this document has been obtained from the signatory below.

17 Dated: February 18, 2010

By: /s/ David Kuhn

18 David N. Kuhn  
19 Attorney-at-Law  
20 144 Hagar Avenue  
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22 Telephone: (510) 653-4983

Counsel for Plaintiff Gregory Bender

22 **PURSUANT TO STIPULATION, IT IS SO ORDERED:**

25 DATED: February 19, 2010

By:

26   
27 THE HON. MAXINE M. CHESNEY  
28 United States District Court Judge